

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Lundberg et al.  
Serial No. : 10/693,317  
Filed : October 23, 2003  
For : NEW PHARMACEUTICAL FORMULATION  
AND PROCESS  
Examiner : Sheikh, Humera N.  
Group Art Unit : 1615

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**JUL 13 2006**

<b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8</b>	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on July 13, 2006 at the facsimile number 571-273-8300.	
<u>John M. Genova</u>	<u>32,224</u>
Attorney Name	PTO Reg. No.
<u>John M. Genova</u>	<u>July 13, 2006</u>
Signature	Date of Signature

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Examiner Humera N. Sheikh  
Pages: 8

**Response to Notice of Non-Compliant Amendment**

Sir:

Applicants submit this communication in response to the Notice of Non-Compliant Amendment ("Notice"), mailed July 7, 2006. As this communication is being submitted before the end of the one-month period for reply, no extension of time is necessary.

The Notice indicates that the amendment document filed on April 27, 2006 is non-compliant because claim 17 was not provided with the proper status modifier. The Notice provides that only the corrected section of the non-compliant amendment document must be resubmitted in its entirety.

USSN10/693,31, filed October 23, 2003  
Attorney Docket No. 1103326-0203 CON  
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Accordingly, in response to the Notice, Applicants submit herewith a replacement "Amendment to the Claims" section, comprising replacement pages 3-8. Each of the pending claims is now provided with a proper status modifier. No new matter has been added to any of the replacement pages.


Upon entry of the replacement sheets, claims 1-17, 19 and 21-24 remain pending. Entry of the replacement sheets is respectfully requested.

Applicants take advantage of this opportunity to repeat their request for a suspension of prosecution for a reasonable period of six (6) months under 37 C.F.R. §1.103 as set forth in the Amendment filed April 27, 2006.

Authorization is hereby given to charge any fee in connection with this communication to Deposit Account No. 23-1703.

Dated: July 13, 2006

Respectfully submitted,



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